

WSR 23-04-099

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed January 31, 2023, 3:20 p.m., effective April 1, 2023]

Effective Date of Rule: April 1, 2023.

Purpose: WAC 246-338-990 Fees. The department of health is adopting amendments to WAC 246-338-990 that will increase initial and renewal fees for medical test sites.

Citation of Rules Affected by this Order: Amending WAC 246-338-990.

Statutory Authority for Adoption: RCW 43.70.250, 70.42.090.

Adopted under notice filed as WSR 22-21-125 on October 18, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: January 31, 2023.

Kristin Peterson, JD  
Chief of Policy  
for Umair A. Shah, MD, MPH  
Secretary

**OTS-4093.1**

AMENDATORY SECTION (Amending WSR 20-20-030, filed 9/29/20, effective 11/1/20)

**WAC 246-338-990 Fees.** (1) The department will assess and collect biennial fees for medical test sites as follows:

(a) Charge fees, based on the requirements authorized under RCW 70.42.090 and this section;

(b) Assess additional fees when changes listed in WAC 246-338-026 occur that require a different type of license than what the medical test site currently holds;

(c) Charge prorated fees for the remainder of the two-year cycle when the owner or applicant applies for an initial license during a biennium as defined under WAC 246-338-022 (2)(c);

(d) Charge prorated fees for licenses issued for less than a two-year period under WAC 246-338-024(3); and

(e) Determine fees according to criteria described in Table 990-1.

Table 990-1 License Categories and Fees

Category of License	Number of Tests/ Year	Biennial Fee
Certificate of Waiver	N/A	(((\$190)) <u>\$260</u> )
PPMP	N/A	(((\$250)) <u>\$300</u> )
Low Volume	1-2,000 tests	(((\$560)) <u>\$620</u> )
Category A	2,001-10,000 tests, 1-3 specialties	(((\$1,710)) <u>\$1,900</u> )
Category B	2,001-10,000 tests, 4 or more specialties	(((\$2,210)) <u>\$2,450</u> )
Category C	10,001-25,000 tests, 1-3 specialties	(((\$3,070)) <u>\$3,410</u> )
Category D	10,001-25,000 tests, 4 or more specialties	(((\$3,520)) <u>\$3,910</u> )
Category E	25,001-50,000 tests	(((\$4,230)) <u>\$4,700</u> )
Category F	50,001-75,000 tests	(((\$5,230)) <u>\$5,810</u> )
Category G	75,001-100,000 tests	(((\$6,240)) <u>\$6,930</u> )
Category H	100,001-500,000 tests	(((\$7,290)) <u>\$8,090</u> )
Category I	500,001-1,000,000 tests	(((\$12,960)) <u>\$14,390</u> )
Category J	> 1,000,000 tests	(((\$15,550)) <u>\$17,260</u> )
Accredited:		
Low Volume	1-2,000 tests	(((\$210)) <u>\$230</u> )
Category A	2,001-10,000 tests, 1-3 specialties	(((\$260)) <u>\$290</u> )
Category B	2,001-10,000 tests, 4 or more specialties	(((\$290)) <u>\$320</u> )
Category C	10,001-25,000 tests, 1-3 specialties	(((\$660)) <u>\$730</u> )
Category D	10,001-25,000 tests, 4 or more specialties	(((\$700)) <u>\$780</u> )
Category E	25,001-50,000 tests	(((\$980)) <u>\$1,090</u> )
Category F	50,001-75,000 tests	(((\$1,570)) <u>\$1,740</u> )
Category G	75,001-100,000 tests	(((\$2,150)) <u>\$2,390</u> )
Category H	100,001-500,000 tests	(((\$2,780)) <u>\$3,090</u> )
Category I	500,001-1,000,000 tests	(((\$8,040)) <u>\$8,920</u> )
Category J	> 1,000,000 tests	(((\$10,210)) <u>\$11,330</u> )
Follow-up survey for deficiencies		Direct staff time

Table 990-1 License Categories and Fees

Category of License	Number of Tests/Year	Biennial Fee
Complaint investigation		Direct staff time

(2) The following programs are excluded from fee charges when performing only waived hematocrit or hemoglobin testing for nutritional evaluation and food distribution purposes:

- (a) Women, infant and children programs (WIC); and
- (b) Washington state migrant council.

[Statutory Authority: RCW 43.70.250 and 70.42.090. WSR 20-20-030, § 246-338-990, filed 9/29/20, effective 11/1/20. Statutory Authority: RCW 70.42.090. WSR 06-15-132, § 246-338-990, filed 7/19/06, effective 8/19/06. Statutory Authority: RCW 70.42.090 and 2002 c 371. WSR 02-12-105, § 246-338-990, filed 6/5/02, effective 7/6/02. Statutory Authority: RCW 70.42.005, 70.42.060. WSR 01-02-069, § 246-338-990, filed 12/29/00, effective 1/29/01. Statutory Authority: RCW 70.42.090. WSR 99-24-061, § 246-338-990, filed 11/29/99, effective 12/30/99; WSR 96-12-011, § 246-338-990, filed 5/24/96, effective 6/24/96. Statutory Authority: Chapter 70.42 RCW. WSR 94-17-099, § 246-338-990, filed 8/17/94, effective 9/17/94; WSR 93-18-091 (Order 390), § 246-338-990, filed 9/1/93, effective 10/2/93; WSR 91-21-062 (Order 205), § 246-338-990, filed 10/16/91, effective 10/16/91. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-338-990, filed 12/27/90, effective 1/31/91. Statutory Authority: Chapter 70.42 RCW. WSR 90-20-017 (Order 090), § 248-38-120, filed 9/21/90, effective 10/22/90.]